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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

WENDELL D HARTMAN,
Plaintiff,

vs.

**JEFFERSON PILOT FINANCIAL
INSURANCE, CO, dba JEFFERSON
PILOT SECURITIES, CO, and
LINCOLN FINANCIAL GROUP, INC,**
Defendants.

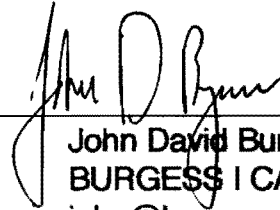
CASE #: 11-6319-HO

MOTION TO DISMISS
ERISA (29 USC § 1132)

MOTION TO DISMISS – APPELLANT/PETITIONER

Petitioner-Appellant moves this court for an order dismissing the Petition in the above-captioned matter for the reason that Defendant-Respondents Jefferson Pilot Financial Insurance and Lincoln Financial Group, have settled the matter which is the subject of this claim.

RESPECTFULLY SUBMITTED on this 28 day of November, 2011.



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Hartman v. Jefferson Pilot et al
D. Or. (Eugene)

CERTIFICATE OF SERVICE

I certify that I served the foregoing MOTION TO DISMISS upon:

Lincoln Financial Grp, Inc
c/o Brian Thompson
Gateway Financial Grp, Inc
2555 Sorrel Way
Eugene, OR 97401

Jefferson Pilot Financial Ins, Co
dba Jefferson Pilot Securities, Co
285 Liberty Ave NE
Salem, OR 97301

by the following indicated method or methods:

 x by **mailing** full, true, and correct copies thereof in sealed, first-class postage-prepaid envelopes, addressed to the persons named above at their last-known addresses as set forth above, and deposited with the U.S. Postal Service at Salem, Oregon, on the date set forth below.

 by sending a full, true, and correct copy thereof via **overnight courier**, in a sealed prepaid envelope, addressed to the attorney named above at said attorney's the last-known office address as set forth above, on the date set forth below.

 by **faxing** a full, true, and correct copy thereof to the attorney, at the last-known fax number for the attorney's office, on the date set forth below.

DATED: 28 November 2011

/s/ John David Burgess
John David Burgess, OSB #106498
Attorney for Respondent